

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT THOMAS,

05-CV-1646-JE

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner, Social Security
Administration,

Defendant.

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BROWN, Judge.

Magistrate Judge John Jelderks issued Findings and Recommendation (#23) on March 27, 2007, in which he recommended this Court deny Defendant's Motion to Remand (#17) for further administrative proceedings, reverse the Commissioner's decision, and remand to the Commissioner for the calculation and award of benefits. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). This Court has reviewed the legal principles *de novo* and does not find any error in the Magistrate's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Jelderks's Findings and Recommendation (#23). Accordingly, the Court **REVERSES** the Commissioner's decision, **DENIES** the Commissioner's Motion to Remand (#17) for further administrative proceedings, and **REMANDS** this case to the Commissioner for the calculation and award of benefits consistent with the findings of this Court.

IT IS SO ORDERED.

DATED this 30th day of May, 2007.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge